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Attorney for Debtor

UNITED STATES BANKRUPTCY COURT

EASTERN DISTRICT OF CALIFORNIA

In the Matter of

Case No. 17-12105-A-13K

Alexander Lee Johnson

DC-PK-4

Chapter 13

Debtors.

**MOTION TO CONFIRM DEBTOR'S
SECOND MODIFIED CHAPTER 13
PLAN**

DATE: August 8, 2018

TIME: 9:00 a.m.

PLACE: 510 19th St., Dept. A
Bakersfield, CA

JUDGE: Fredrick Clement

Modified Plan Filed 5/31/18

TO ALL CREDITORS AND PARTIES IN INTEREST:

COMES NOW Alexander Lee Johnson, Debtor herein, through his attorney,
PATRICK KAVANAGH, and respectfully asks this Court to confirm Debtor's Second
Modified Chapter 13 Plan as follows:

1. Debtor filed a Chapter 13 on 5/30/17.

1 2. The meeting of creditors was held on 7/5/17.

2 3. A copy of the Second Modified Plan is being mailed to all creditors with this
3 motion. The modified plan was filed on 5/31/18.

4 4. Debtor and Debtor's attorney executed Rights and Responsibilities of
5 Chapter 13 Debtors and their Attorneys, and said document was filed with this Court
6 on or about 5/30/17. Prior to filing, Debtor paid to Debtor's attorney the sum of
7 \$1,000.00. Debtor and Debtor's attorney agreed that the attorney fees would be paid
8 hourly after the court heard a fee application. Attorney fees are payable through the
9 plan.
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11 5. Creditors are advised to read the attached plan and not rely on the herein brief
12 summary.
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14 6. Creditors should consult the separate notice of motion about the
15 deadlines for opposition filing. The notice contains a deadline to file opposition and
16 failure within the period allowed may result in the inability to file opposition.

17 The following additional provisions have been added:
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1 2.01 Payments to Plan

Through Feb 15, 2018, the debtor has paid \$25,585.28 into the plan.
Beginning in month 13, the debtor will pay \$1,500.00 per month.

3 3.06 Attorney fees

\$ 3,980.00 has been paid through May 25, 2018. \$500.00 per month will be paid
beginning in month 50.

5 3.07 Class One-Loandepot.com

Loandepot has received a total of \$14,073.26. They have been reclassified as
class 3. Confirmation of this plan provides Loandepot with relief from stay to foreclose.

8 3.08 Lendmark Financial Services

The Court issued an order valuing Lendmark's collateral at \$3,000.00. They
have received total payments of \$2,088.70 through May 25, 2018. They will receive the
balance of plus interest in month 13.

11 3.12 Priority Claims

To date, \$624.60 has been paid.

14 7. The Debtor respectfully submits that his Chapter 13 Plan should be
15 confirmed because:

17 A. The plan meets the requirements of §§1322 and 1329.

18 B. The plan complies with the applicable provisions of Chapter 13
19 within the meaning of §1325(a)(1).

20 C. There are no fees, charges or amounts required under Chapter
21 123 of Title 28 to be paid.

22 D. The Debtor has proposed a plan in good faith and not by any
23 means forbidden by law within the meaning of §1325(a).

24 E. The value that will be distributed to creditors under the plan equals
25 or exceeds what they would receive in a Chapter 7.
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1 F. Each holder of an allowed secured claim will retain its lien under
2 the plan and the plan proposes to pay each such holder value, as of the effective date
3 of the plan, equal to the value of the creditor's collateral.

4 G. The Debtors will be able to make all payments required by the
5 plan.
6

7 WHEREFORE, Debtors pray that the Court grant this motion and confirm the
8 Plan, and for such other and further relief as the Court may deem just.

9 DATED: 5/31/2018

10 LAW OFFICES OF PATRICK KAVANAGH
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13
14 By 
15 PATRICK KAVANAGH
16 Attorney for Debtor(s)
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